

### **REMARKS**

This Amendment responds to the office action dated August 11, 2005.

Claims 1-10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Snipp (US Patent 5,699,495), in view of Yacoub (US Patent 6,552,813). Snipp and Yacoub teach a server-based system that is much more complex and expensive than the embodiments of the present invention now claimed in claims 1-10, as amended.

Claims 1-10 have been amended to more particularly point out the differences between embodiments of the present invention claimed therein and the cited prior art. These claims have been amended to more clearly show that these embodiments comprise a “direct communication” between a print processor that is local to an application and a printing device. The following remarks are given in relation to the amended claims.

Regarding claim 1, claim 1 has been amended to include the limitation of “receiving a print task originating from an application running on a computing device, said receiving occurring at a print processor, which resides on said computing device and is an integral component in an operating system of said computing device”. Claim 1 has also been amended to include the limitation of “checking the status of at least one printing device, comprising said preferred printing device, in communication with said computing device via a direct communication between said at least one printing device and said print processor residing on said computing device.” These limitations are not disclosed in the prior art. The combination of Snipp and Yacoub does not disclose the local print processor or direct communication limitations of these claims. The examiner relies on Snipp to disclose sending a print task to a print processor (note Fig. 2 item 34,

column 4 lines 22-28). While Snipp mentions a print task and a print processor, it does not disclose sending the print task to a print processor that performs printer status detection through direct communication with a printer. Yacoub teaches a method comprising a print server for print jobs on networked printers in which communications between the printing device and the computing device pass through the server (Col. 2 lines 26-53) and in which the server selects an appropriate printer (Col. 2, lines 36-38). Since Snipp and Yacoub do not disclose the elements of a print processor residing on said computing device in direct communication with printing devices, claim 1 is now allowable in its current form.

Claim 2 is dependent upon claim 1 and comprises all the limitations of claim 1. Accordingly, claim 2 is patentable for the reasons stated above with regard to claim 1.

Claim 3 is dependent upon claim 1 and comprises all the limitations of claim 1. Additionally claim 3 has been amended to include the limitation of "transmitting printer ready data from said print processor residing on said computing device". Accordingly, claim 3 is patentable for the reasons stated above with regard to claim 1.

Regarding claim 4, claim 4 has been amended to include the limitation of "rechecking the status of said at least one printing devices in direct communication with said computing device after said print task has been sent to at least one of said preferred printing device, said said available printing device" These elements clearly distinguish from the method of Snipp and Yacoub as explained above in relation to claim 1 and other claims.

Claims 5 and 6 are dependent on claim 4 and comprise all the limitations therein. Accordingly, these claims are believed to be in condition for allowance based on the arguments set forth above in relation to claims 1 and 4.

Regarding claim 7, claim 7 has been amended to include the limitation of “receiving a print task originating from an application running on a computing device, said receiving occurring at a print processor, which resides on said computing device and is an integral component in an operating system of said computing device”. These elements clearly distinguish claim 7 from the server-based methods of Snipp and Yacoub as explained above in relation to claim 1 and other claims.

Claims 8 and 9 are dependent on claim 7 and comprise all the limitations thereof. Accordingly, these claims are believed to be in condition for allowance based on the arguments set forth above in relation to claims 1 and 7.

Regarding claim 10, claim 10 has been amended to include the limitation of “sending said print task to a print processor residing on a computing device from which said print task originated, wherein said print processor is an integral part of an operating system of said computing device.” These elements clearly distinguish claim 10 from the method of Snipp and Yacoub as explained above in relation to claim 1 and other claims.

The examiner has also rejected claim 11 under 35 U.S.C. §103(a) as being unpatentable over Snipp (US Patent 5,699,495) in view of Mima et al (Pub. No. US20020101604).

Claim 11 has been amended to more clearly show distinctions from the prior art. Regarding claim 11, claim 11 has been amended to include the limitation of “sending

a print task to a print processor residing on a computing device on which said print task originates; checking the status of printing devices in communication with said computing device from said print processor residing on said computing device.” These limitations are not disclosed in the prior art. The combination of Snipp and Mima do not disclose the “print processor residing on said computing device” and “direct communication” elements of the amended claim. Mima et al do not disclose a method for detecting the status of printers on a network using a resident print processor, especially through the use of a direct print processor to printing device communication. Mima et al teach a complex networked system with a network print monitor 17 residing on a remote computing device 7 that is separate from a computer 3, 5 and separate from other computing devices on which printer monitors 19a-19c run. Mima et al state (page 3, para. 39-40) that each of printer systems 1-3, which contain the printer monitors, may be a “combination of a computer and a printer or a printer incorporating a computer.” Mima et al further state (page 3, para. 40) that the network print monitor 17 is in computer 7. Accordingly, the system taught by Mima et al comprises at least three computers for a network print monitor and a printer system. Clearly, the “network print monitor” is running on a separate computing device that is essentially a server. Claim 11, as amended comprises the terms “print processor residing on said computing device” and status checking “through a direct communication between said print processor residing on said computing device and said printing device,” which clearly distinguish from the method of Mima et al.

Claim 14 has also been rejected under 35 U.S.C. §102(e) as being anticipated by Yacoub (U.S. Patent 6,552,813)

Claim 14 is cancelled.

Claims 12 and 15 have also been rejected under 35 U.S.C. §102(e) as being anticipated by Mima et al (Pub. No. US20020101604).

Claims 12 and 15 have been amended to more clearly show distinctions from the prior art. Regarding claim 12, claim 12 has been amended to include the limitation of “A computer readable medium comprising instructions for performing functions within a print processor, which resides on a computing device as an integral operating system component, said instructions comprising the acts of: receiving a print task from an application running on said computing device”. These limitations are not disclosed in the prior art. Clearly, Mima et al teach the use of a communication from a network print monitor that is remote to the application and which is an intermediary between the client and the printer. Accordingly, Mima et al do not teach the method of claim 12, as amended.

Regarding claim 15, claim 15 has been amended to include the limitations of “sending a print task to a print processor residing on a computing device from which said print task originated, said print processor being an integral operating system component of said computing device” and “checking the status of printing devices in communication with said computing device from said print processor”. These limitations are not disclosed in the prior art network server-based systems and these claims are believed to


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be in condition for allowance based on the arguments set forth above in relation to claims 11 and 12.

Claims 16 and 17 have been added to capture apparatus embodiments of the present invention. These claims comprise a status checking print processor that is local to a printing application. This print processor is not found in the prior art and these claims are believed to be allowable as submitted.

Based on the foregoing amendments and remarks, the Applicant respectfully requests reconsideration and allowance of the present application.

Respectfully submitted,



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